

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE: JOHNSON & JOHNSON TALCUM
POWER PRODUCTS MARKETING, SALES
PRACTICES, AND PRODUCTS LIABILITY
LITIGATION

No. 3:16-md-02738-MAS-RLS

**DECLARATION OF MATTHEW L. BUSH IN SUPPORT OF
DEFENDANTS' REPLY IN SUPPORT OF MOTION TO COMPEL
INSPECTION OF DR. WILLIAM LONGO'S LABORATORY**

I, Matthew L. Bush, declare as follows:

I am an attorney of the state of New York and a partner with the law firm King & Spalding LLP, counsel for Defendants Johnson & Johnson and LLT Management LLC (hereafter, “Defendants”) in the above-captioned matter. The facts stated in this Declaration are true of my own personal knowledge. I submit this Declaration in support of Defendants’ Reply in Support of Motion to Compel Inspection of Dr. William Longo’s Laboratory.

1. Attached hereto as **Exhibit AB** is a true and correct copy of the Order on Paul Hess and Material Analytical Services, LLC’s Motion to Quash Subpoena and for Protective Order, in *Hess et al. v. Am. Int’l Indus. Et al.*, No. 1:24-cv-02195, ECF No. 7 (N.D. Ga.).
2. Attached hereto as **Exhibit AC** is a true and correct copy of Dr. William Longo’s Second Supplemental Report dated February 1, 2019, issued in the above-captioned case.
3. Attached hereto as **Exhibit AD** is a true and correct copy of the transcript of Day 1 of the Rule 104 hearing regarding Dr. William Longo on May 29, 2024, in *Clark et al. v. Johnson & Johnson, et al.*, No. MID-L-003809-18AS (N.J. Super. Ct., Middlesex Cnty.).
4. Attached hereto as **Exhibit AE** is a true and correct copy of the transcript of Day 2 of the Rule 104 hearing regarding Dr. William Longo on May

30, 2024, in *Clark et al. v. Johnson & Johnson, et al.*, No. MID-L-003809-18AS (N.J. Super. Ct., Middlesex Cnty.).

5. Attached hereto as **Exhibit AF** is a true and correct copy of Dr. William Longo's deposition on March 3, 2023, in *Hernandez-Valadez v. Johnson & Johnson, et al.*, No. 22CV012759 (Super. Ct. Ca., Alameda Cnty.).

6. Attached hereto as **Exhibit AG** is a true and correct copy of an excerpt of Dr. William Longo's deposition on May 16, 2023, in *Streck v. Johnson & Johnson, et al.*, No. 21-CI-06290 (Ky. Cir. Ct., Jefferson Cnty.).

7. Attached hereto as **Exhibit AH** is a true and correct copy of an excerpt of Dr. Steven Compton's deposition on September 14, 2017, in *Herford et al. v. AT&T Corp. et al.*, No. BC646315, JCCP Case No. 4674 (Super. Ct. Ca., L.A. Cnty.).

8. Attached hereto as **Exhibit AI** is a true and correct copy of an excerpt of Dr. Steven Compton's deposition on February 28, 2020, in *Zimmerman v. Autozone Inc., et al.*, No. BC720153, JCCP Case No. 4674 (Super. Ct. Ca., L.A. Cnty.).

9. Attached hereto as **Exhibit AJ** is a true and correct copy of an excerpt of Dr. Steven Compton's deposition on May 7, 2020, in *Lopez et al. v. Brenntag North America, Inc, et al.*, Case No. 2017-86022-ASB (Dist. Ct. Tex., Harris Cnty.).

10. Attached hereto as **Exhibit AK** is a true and correct copy of a demonstrative prepared by Defendants, which matches Dr. William Longo's deposition testimony on March 3, 2023, in *Hernandez-Valadez v. Johnson & Johnson, et al.*, No. 22CV012759 (Super. Ct. Ca., Alameda Cnty.), with the corresponding image displayed on-screen.

11. Attached hereto as **Exhibit AL** is a true and correct copy of a February 2023 chart entitled "Summary of MAS testing results of talc from Italy, Vermont, Montana, Brazil and China."

12. Attached hereto as **Exhibit AM** is a true and correct copy of Dr. Matthew Sanchez's "Rebuttal of MAS Zimmerman Report" dated March 9, 2020, issued in *Zimmerman v. Autozone Inc., et al.*, No. BC720153, JCCP Case No. 4674 (Super. Ct. Ca., L.A. Cnty.).

13. Attached hereto as **Exhibit AN** is a true and correct copy of an excerpt of Dr. William Longo's deposition on April 2, 2024, in *Clark v. Johnson & Johnson, et al.*, No. MID-L-003809-18AS (N.J. Super. Ct., Middlesex Cnty.).

14. Attached hereto as **Exhibit AO** is a true and correct copy of Dr. Steven Compton's report entitled, "Investigation of Chanel/Brenntag Specialties Supra H USP (Chinese) Talc Samples for Asbestos" dated September 24, 2020.

15. Attached hereto as **Exhibit AP** is a true and correct copy of an excerpt of trial proceedings from July 23, 2019, in *Hayes v. Colgate-Palmolive Co., et al.*, No. 16-CI-03503 (Ky. Cir. Ct., Jefferson Cnty.).

16. Attached hereto as **Exhibit AQ** is a true and correct copy of an excerpt of Dr. William Longo's report entitled, "MAS Project # M71179 Chanel Supra H Retains" dated October 8, 2020.

17. Attached hereto as **Exhibit AR** is a true and correct copy of an excerpt of Dr. William Longo's deposition on May 12, 2020, in *Zimmerman v. Autozone Inc., et al.*, No. BC720153, JCCP Case No. 4674 (Super. Ct. Ca., L.A. Cnty.).

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: June 11, 2024



MATTHEW L. BUSH